

**Title 1—OFFICE OF
ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction,
Except Cases [Under Section 621.040, RSMo]
Where Procedure Is Otherwise Provided For By Law**

1 CSR 15-3.270 Service of Filings Other Than the Original Complaint

PURPOSE: This amendment permits service on other parties by e-mail and specifies when service is completed.

(1) Unless otherwise provided by these rules or by other law, any party to a proceeding before the commission or any person who seeks to become a party shall serve upon all attorneys of record and unrepresented parties a copy of any document or item the party files **with the commission**.

(2) Methods of Service.

(A) A person may serve a document on an attorney by—

1. *[Delivering]* **Hand-delivering** it to the attorney;
2. Leaving it at the attorney's office with a secretary, clerk or attorney associated with or employed by the attorney served;
3. Mailing it to the attorney's last known address; *[or]*
4. Sending it to the attorney's last known e-mail address; or
*[4]***5. Facsimile transmitting (faxing) it to the attorney's last known fax number.**

(B) A person may serve a document on an unrepresented party by—

1. *[Delivering]* **Hand-delivering** it to the party;
2. Mailing it to the party's last known address; *[or]*
3. Sending it to the party's last known e-mail address; or
*[3]***4. Faxing it to the party's last known fax number.**

(C) *[Service by mailing is complete upon placing in the mail. Service by fax is complete upon its transmission.]* **Personal service on attorneys and self-represented parties and service by leaving a copy at the attorney's office is complete upon delivery. Service by mail is complete upon mailing. Service by fax transmission or e-mail is complete upon transmission, except that a transmission made on a Saturday, Sunday or legal holiday, or after 5:00 p.m. shall be complete on the next day that is not a Saturday, Sunday or legal holiday.**

(3) Any document or item filed **with the commission** shall contain or be accompanied by a **signed certification of service that indicates** how and when the filing party has met the provisions of section (1) of this rule. **The certification of service shall state the:**

- 1. Name of the person served;**
- 2. Date of service;**
- 3. Method of service; and**

4. Address of service, such as mailing address, fax number or e-mail address.

(4) The commission, after due notice **to all parties**, may waive the requirements of section (1) of this rule either on its own motion or on the motion of any party.

(5) The requirements of this rule shall not apply to an original complaint.

AUTHORITY: section 621.198, RSMo 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed _____, 2016, effective _____, _____.*

**Original authority: 628.198, RSMo 1965, amended 1978.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.